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1940 Duke Street
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OCT - 3 2003

In re Application of:)
MATS LEIJON ET AL.)
Application No. 09/509,467)
RCE Filed: JUNE 13, 2002)
For: AN ELECTRIC POWER PLANT)
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)

**DECISION ON PETITION
UNDER 37 CFR § 1.103(a)
REQUESTING SUSPENSION
OF ACTION**

This is a decision on the petition under 37 CFR 1.103(a) filed on June 06, 2003 requesting a further suspension of action for a period of six (6) months in the instant application.

The petition states that applicants have appealed the rejections of all claims in related matter, Application Serial No. 08/973,019, and that Applicant's representative believes that the issue presented in the appeal are relevant to the present application. Applicant therefore, requests an additional suspension to await a determination by the Board of Patent Appeals and Interferences in (Serial No. 08/973,019) the related application. The fee set forth in 37 C.F.R. §1.117(h) of \$130.00 was paid with this submission.

The BPAI rendered a decision in 08/973,019 affirming the Examiner on November 27, 2002, *granted-in-part* a request for reconsideration on April 17, 2003, and rendered a final decision after reconsideration on August 27, 2003. Thus, the basis for the request for suspension no longer applies.

Accordingly, since there is no showing of good and sufficient cause to further delay prosecution, as required under 37 C.F.R. §1.103(a), the **REQUEST for SUSPENSION** is **DENIED**.

The application file is being forwarded to the Examiner of record for appropriate action in response to applicant's Request for Continued Examination (RCE) filed on June 13, 2002.

Richard Seidel, Group Director
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